

SCANNED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARCON SOLUTIONS, LLC,

Plaintiff,

-against-

EAST 29th STREET, LLC, and
ESPAIS PROMOCIONS IMMOBILARIES EPI,
S.A.,

Defendants.

08 CV 02050 (RMB)

MOTION TO ADMIT COUNSEL
PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Steven A. Rosen, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Robert Zarco, Esq.
Zarco, Einhorn, Salkowski & Brito, P.A.
Bank of America Tower
100 Southeast 2nd Street, Suite 2700
Miami, FL 33131
Phone: (305) 374-5418
Fax: (305) 374-5428

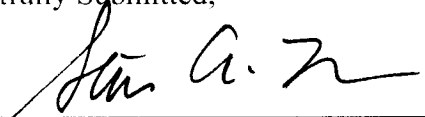
FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
2008 APR 10 AM 10:06

Mr. Zarco is a member in good standing of the Bar of the State of Florida. There are no pending disciplinary proceedings against Mr. Zarco in any State or Federal Court.

Dated: New York, New York
April 8, 2008

Respectfully Submitted,

By:


Steven A. Rosen, Esq. (SR-9913)
Local Counsel for Plaintiff
501 Fifth Avenue, Suite 804
New York, New York, 10017
Phone: (212) 599-3970
Fax: (212) 599-3969

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARCON SOLUTIONS, LLC,

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EAST 29th STREET, LLC, and
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Defendants.

08 CV 02050
U.S. District Court Judge
Richard M. Berman

**DECLARATION OF STEVEN A.
ROSEN IN SUPPORT OF MOTION
TO ADMIT COUNSEL
PRO HAC VICE**

STEVEN A. ROSEN, an attorney duly admitted to practice before the Courts of the State of New York, declares the following to be true under the penalty of perjury:

1. I am the co-counsel for Plaintiff in the above captioned action. I am familiar with the proceedings of this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's Motion to Admit Robert Zarco, Esq., *pro hac vice* to represent Plaintiff in this matter.

2. I am a member in good standing of the Bar of the State of New York and was admitted to practice in 1982. I am also admitted to the Bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Mr. Zarco is the founding partner with Zarco, Einhorn, Salkowski & Brito, P.A., in Miami, Florida.

4. I have found Mr. Zarco to be a skilled attorney and person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

5. Accordingly, I am pleased to move the admission of Robert Zarco, *pro hac vice*.

6. Attached as Exhibit "A" is the Affidavit of Mr. Zarco in support of his admission.

7. Attached as Exhibit "B" is a certificate of Mr. Zarco's good standing with the bar of the State of Florida.

8. I respectfully submit herewith a proposed order granting the admission of Robert Zarco, *pro hac vice*.

WHEREFORE, it is respectfully requested that the motion to admit Robert Zarco, *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
April 9, 2008



Steven A. Rosen (SR-9913)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARCON SOLUTIONS, LLC,

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Defendants.

08 CV 02050

U.S. District Court Judge
Richard M. Berman

**AFFIDAVIT IN SUPPORT OF
MOTION FOR ADMISSION
PRO HAC VICE**

STATE OF FLORIDA

)

)ss.:

COUNTY OF DADE

)

ROBERT ZARCO, being duly sworn, deposes and says:

1. I am a partner with the law firm of Zarco, Einhorn, Salkowski & Brito, P.A., which has its office at the Bank of America Tower, 100 S.E. 2nd Street, Suite 2700, Miami, Florida 33131. I have personal knowledge of the facts set forth herein.

2. I respectfully submit this affidavit in support of my application to appear pro hac vice in this action on behalf of Plaintiff Arcon Solutions, LLC.

3. I seek to appear as counsel for Plaintiff in this action because of my knowledge and the knowledge of other attorneys within my firm relating to the issues that are the subject of this action. My firm is co-counsel with Steven A. Rosen, Esq., counsel of record. Steven A. Rosen, Esq. will remain involved in this action, and will be available to accept service of papers and respond to any requests by this Court.

4. I reside in Miami Beach, Florida.

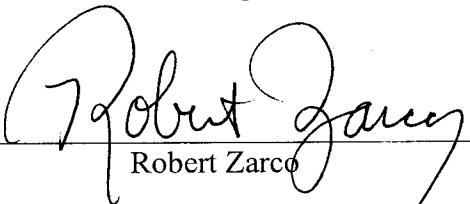
5. I received my J.D. in 1985 from the University of Miami School of Law and have practiced law since that time.

6. I have been admitted to practice in the State of Florida. I am also a member in good standing and admitted to practice before the following federal courts: the United States District Court for the Southern District of Florida, the United States District Court for the District of Arizona and the United States Court of Appeals for the Eleventh Circuit. I have attached hereto a certificate of good standing from the Florida Bar issued within the last 30 days.

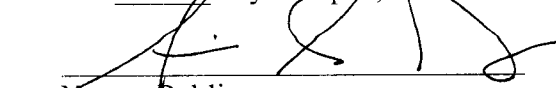
7. I have previously been admitted pro hac vice to appear in the United States District Court for the Southern District of New York in the matter of FRANCK MULLER USA, INC. v. ELINI DESIGNS CORP., and ELINI BVBA, U.S. District Court, Southern District of New York - Case No. 05 CV 8299 (GBD) (DCF), C.P. FERREL, INC., et al. v. BLIMPIE INTERNATIONAL, INC., U.S. District Court, Southern District of New York -- Case No. 07 CV 10666, Confirm Arbitration Award, and ICONIX BRAND GROUP, INC., et al v. BONGO APPAREL, INC., et al., U.S. District Court, Southern District of New York -- Case No. 06 CV 8195.

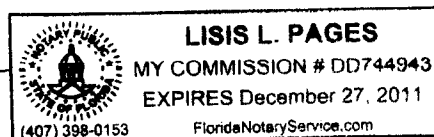
8. I am not currently nor have I ever been suspended or disbarred in any court or by any state, and there are no disciplinary proceedings pending against me in any forum.

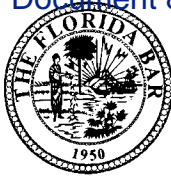
9. I am familiar with and agree to comply with the standards of professional conduct imposed upon members of this Court, including the rules of court governing the conduct of attorneys and the Disciplinary Rules of the Code of Professional Responsibility.


Robert Zarco

Sworn to and subscribed before me
this 7th day of April, 2008.


Notary Public





The Florida Bar

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600
WWW.FLORIDABAR.ORG

State of Florida)

County of Leon)

In Re: 502138
Roberto Zarco
Zarco, Einhorn & Salkowski,
P.A.
100 S.E. 2nd St., Ste. 2700
Miami, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on October 17, 1985.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 11th day of March, 2008.

Johnny M. Smith
Assistant Director, Membership Records
The Florida Bar

LMS/KLTU8:R106

DECLARATION OF SERVICE BY MAIL

STATE OF NEW YORK)

ss.:

COUNTY OF NEW YORK)


Steven A. Rosen, an attorney admitted to practice before the Courts of the State of New York and before this Court declares under penalties of perjury as follows: I am local counsel for plaintiff in this action. On April 9, 2008 I served the attached motion to admit counsel pro hac vice with accompanying affidavits and a proposed order on defendants in this action, who have not yet appeared, by depositing true copies of the same enclosed in postpaid properly addressed wrappers, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York addressed to defendants and their counsel as follows:

East 29th Street LLC
39-45 East 29th Street
New York, NY 10016

Espais Promocions Immobiliaries Epi, S.A.
Twenty9th Park Madison
33 East 33rd Street
6th Floor
New York, NY 10016 and

Todd E. Soloway, Esq.
Prior Cashman Sherman & Flynn, LLP
410 Park Avenue, 10th floor
New York, New York 10022

Dated: New York, New York
April 9, 2008


STEVEN A. ROSEN (SR-9913)
Local Counsel for Plaintiff
501 Fifth Avenue, Suite 804
New York, New York 10017
(212) 599-3970

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Defendants.

08 CV 02050
U.S. District Court Judge
Richard M. Berman

**ORDER FOR ADMISSION
PRO HAC VICE**

Upon the motion of Steven A. Rosen, attorney for Plaintiff Arcon Solutions, LLC and said sponsor attorney's affidavit in supports;

IT IS HEREBY ORDERED that

Robert Zarco, Esq.
Zarco, Einhorn, Salkowski & Brito, P.A.
Bank of America Tower
100 Southeast 2nd Street, Suite 2700
Miami, FL 33131
Phone: (305) 374-5418
Fax: (305) 374-5428

is admitted to practice pro hac vice as counsel for Plaintiff in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court, are subject to the Local Rules of this Court, including the rules governing the discipline of attorneys. If this action assigned to the ECF system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: April _____, 2008

United States District / Magistrate Judge